

**From:** Theo M  
**To:** Microsoft ATR  
**Date:** 11/19/01 10:49am  
**Subject:** Comment on the proposed settlement

I am extremely disappointed at the proposed settlement with Microsoft, following the Appellate court decision of 7-0 on the most important parts of the case, and the subsequent denial of review of this decision by the Supreme Court, in effect signaling you all how to proceed with a strong DOJ case, which would allow you to turn Microsoft into a company that competes based on merit, rather than by twisting the arms of everyone it considers a threat to its illegal monopoly.

To forfeit that strong position with the proposed settlement, and allowing Microsoft to be arbiter of its future, and of how to handle itself with regard to its policies towards competitors, and bundling of its products, is a travesty of justice.

How did we go from a proposed breakup in two of the company to this situation of giving it all it wants with a "behavior adjusting" settlement? Have we learned nothing from the past? Isn't experience with "consent decrees" that Microsoft has totally disregarded in the past, that we are where we are today? What are the guarantees that we won't have to deal with Microsoft with a new lawsuit in the future, and why should we, the taxpayers, foot the bill of monitoring this outlaw corporation? How have you dealt with ALL the violations of the Sherman Act it was found guilty of? Is this what Justice is in this country-watching Bill Gates lie repeatedly during his deposition, and no one at all taking issue with it- then allowing him to keep his pie and eat it too? The proposed breakup of the company is the only long term viable solution, which would allow for increased competition, the absence of monopoly abuses, and will not cost taxpayers any more tax dollars. How could you put aside the chilling testimonies of witnesses to Microsoft's abusive and lawless monopoly maintenance practices? How dare you?

You have created an environment where corporate predators are rewarded, and entrepreneurs are considered fodder for monopoly abusers. You have abrogated your responsibilities to protecting the laws of competition in this country, and of properly punishing those who blatantly, and repeatedly abuse them.

Sincerely,

Theo Maschas